

Minutes of the Town Board Meeting of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, May 3, 1977 at 7:30 P.M.

Present:

George G. Young, Temporary Chairman
Francis E. Menendez, Councilman
John Lombardi, Councilman
Jessie Tomlinson, Councilwoman

Absent: Allen M. Smith, Supervisor

Also present: Peter S. Danowski, Jr., Town Attorney
Alex E. Horton, Supt. of Highways

In the absence of the Supervisor, the Town Clerk, Helene M. Block called the Meeting to order and the Pledge of Allegiance was recited.

The Town Clerk asked the Council Members to designate a Temporary Chairman.

Councilman Menendez offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, That in the absence of the Supervisor, Councilman George G. Young, be and is hereby designated Temporary Chairman for the Town Board Meeting of May 3, 1977.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Absent.

The resolution was thereupon declared duly adopted.

Councilman Menendez offered the following resolution which was seconded by Councilman Lombardi.

BE IT RESOLVED, That the Minutes of the Meeting of the Town Board of the Town of Riverhead, held on April 4, 1977, and the Minutes of the Meeting held on April 19, 1977, be approved as submitted.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Absent.

The resolution was thereupon declared duly adopted.

BOARD OF AUDIT

The Town Board convened as a Board of Audit and examined the following bills submitted on Abstract dated May 3, 1977:

General Town	\$73,053.63
Highway Item #1	\$ 715.54
Highway Item #3	\$ 6,641.92
Highway Item #4	\$ 1,412.90
Special Districts	\$ 533.33
Federal Revenue Sharing	\$ 25.00
Town Hall Capital	\$ 700.00

Councilwoman Tomlinson offered the following resolution which was seconded by Councilman Lombardi.

BE IT RESOLVED, That the following bills submitted on Abstract dated May 3, 1977, be approved for payment:

General Town	\$73,053.63
Highway Item #1	\$ 715.54
Highway Item #3	\$ 6,641.92
Highway Item #4	\$ 1,412.90
Special Districts	\$ 533.33
Federal Revenue Sharing	\$ 25.00
Town Hall Capital	\$ 700.00

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Absent.

The resolution was thereupon declared duly adopted.

OPEN BID REPORT

Open Bid Report - One (1) New Four Wheel Tractor and
Bucket Loader - Recreation Department

After being duly advertised the following bids for One (1) New Four Wheel Tractor and Bucket Loader for the Recreation Department were opened by the Town Clerk on Monday, May 3, 1977 at 11:00 A.M.

TRYAC TRUCK & EQUIPMENT.CO., INC.
P. O. Box 98
Route 58
Riverhead, New York 11901

Bid Price for One (1) New Four Wheel Tractor and Bucked Loader: (with 9.5 L x 15 Front Tires ILO 7.50 x 20)	\$8,980.00
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ROLLE BORTHERS, INC.
Sales & Service
Route 58
Riverhead, New York 11901

Bid Price for One (1) New Four Wheel Tractor and Bucket Loader:	\$13,285.00
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Filed.

REPORTS

Tax Receiver's, dated: April 21, 1977
Building Department, month of April, 1977
Police Department, month of April, 1977
Riverhead Fire District, Election Inspector's Report Filed.

APPLICATIONS

Special Permit - Port Washington Lumber Co. - Kroemer Avenue. Filed.
Referred to Planning Board for recommendation and report.

Site Plan - Woolco Store - To expand Outdoor Garden Center. Filed.

Site Plan - Jesson, Inc., for Burger King - Canopy over Drive-thru window. Filed.

Local Law #5 of 1976 - Carl B. Hansen & John Strumpfler for proposed horse stable (Manorville) Filed.

Chairman Young: "That was granted Miss Block."

Helene M. Block: "Well you have to do it by resolution. Did you do it orally?"

Chairman Young: "Local Law says the Building Inspector can do it, I think."

Helene M. Block: "Well I don't - I read that Local Law #5 in reference to Wetlands and you have to have a Public Hearing on that."

Charles Lawrence: "No there hasn't been any Public Hearing in connection with this particular construction under the Building Ordinance."

Helene M. Block: "It says here, the Town Board shall hold a Public Hearing on the permit application."

Chairman Young: "We did."

Helene M. Block: "You did? When?"

Chairman Young: "I think it was done before the Local Law was enacted and he did everything he had to do at that time. The Local Law has been enacted since he put his application in."

Helene M. Block: "All right so now he put this application in and what am I to reply to him, that he has the permit?"

Chairman Young: "Yes, he knows about it. He's got it. He's been in contact with the Building Inspector and he's built the thing."

Helene M. Block: "But this doesn't have - the Building Inspector doesn't even come in under this."

Chairman Young: "That's the Local Law and that Local Law wasn't in effect when this started, it overlapped."

Helene M. Block: "I'm going to get me a Philadelphia lawyer to explain this."

Chairman Young: "We don't have any lawyers here."

COMMUNICATIONS

David W. Burke, Secy. to Governor Carey, dated 4/20/77, acknowledging receipt of resolution opposing State Legislator relating to Assessors. Filed.

P. A. Eckardt, District Chief, Suffolk Co. Police Department, dated 4/21/77, commending Town Policeman David Cheshire for kindness and courtesy extended to his son and Mrs. Eckardt following an accident and stating that Police Officer Cheshire is indeed a credit to the Town, the Police Department and to himself. Filed.

Alex E. Horton, Supt. of Highways, to William C. Haugaard, dated 4/20/77, sending recommendations how to restore the road surface after installing water mains in Wading River. Filed.

William C. Haugaard, dated 4/21/77, making suggestion that the applicant Shorewood Water Corp. for Franchise be given permission to lay water lines under 9 listed streets and such private rights-of-way, including that obtained from LILCO. Filed.

Town Clerk informed the Board that Benjamin Street and Front Street listed in letter are not Town Roads.

John V. N. Klein, Suffolk Co. Executive, dated 4/21/77
To: All Consortium Members - Bulletin on Revised payment procedures for Community Development Program. Filed.

Town of Easthampton, dated 4/22/77, submitting resolution opposing any bill to prohibit commercial catch and sale of striped bass. Filed.

Frank Lucas, dated 4/25/77. Advising of a drainage problem existing at 194 Middle Road (north west corner of Mill Road). Requests reply. Filed.

Town Board will look into this.

Town of Southampton, Notice of adoption of amendment to Town Zoning Ordinance No. 26. Filed

COMMUNICATIONS - continued

Town of Southampton, Notice of proposed changes to Building Zone Ordinance No. 26. Filed.

Town of Brookhaven, dated 4/19/77. Notice of adoption of amendment to Chapter 85 of Code of Brookhaven. Filed.

Suffolk Co. Dept. of Planning, dated 4/21/77 - Notice on amended Building Zone Ordinance - Brookhaven. If no objections by May 11th, 1977, will assume there are no objections.

Dated 4/22/77 - Notice on amended Building Zone Ordinance Southampton. If no objections by May 11th, 1977, will assume there are no objections. Filed.

Dept. of Environmental Conservation - 2

1. Petition of James H. Rambo for Walter Olsen - For bulkheading - south side of Reeves Bay, Flanders and north side of Riverhead Hampton Bays Road.

2. Riverhead Development Corp, proposal to erect a commercial building with paved parking lot seaward of structure. Filed.

Town of Riverhead Conservation Advisory Council, dated 4/25/77 - Relating to application #2 - Riverhead Local Law #5 of 1976 - Carl B. Hansen and John Strumpfeler for proposed 100 Horse Stable Facilities at Manorville. Recommending that a building permit be granted with certain restrictions. Further stating the Council sees no need for another hearing since a public hearing has already been held by the Zoning Board of Appeals. Filed.

Carl B. Hansen, petition in the aforesaid application, dated 4/16/77. Advising that it is the intention of the petitioners to conform to all of the restrictions as outlined in the conservation Advisory Council communication to insure that the operations of the horse stable will cause no impact on the environment or the community. Filed.

Kerron Barnes, Community Development Director, dated 4/26/77. Advising that Suffolk County has received final clearance to proceed with the following projects.

County Project No. 210	Amount	Release Date
Development of the Morell Property Site	\$11,500	4/11/77

County Project No. 10.02

Application of CD funds as local

matching share of BOR grant

\$35,000 4/11/77

Advising the Supervisor that he is hereby authorized to proceed with this project and incur costs up to the amount specified and enclosing instructions, in the event the projects involve construction to be performed by a contractor. Filed.

COMMUNICATIONS - continued

Assemblyman Perry B. Duryea, acknowledging receipt of resolution relating to Assessor Assembly Bill A-31374. Filed.

State of N.Y. Dept. of Audit and Control dated 4/27/77 acknowledging receipt of Local Law No. 1 of 1977 relating to Environmental Quality Review Act. Filed.

Susan V. Tuthill, dated April 1, 1977, tendering resignation as consultant Dietitian for the Nutrition Program for the Elderly for the Town of Riverhead, effective March 15, 1977. Filed.

Charles E. Lawrence, Chairman, Town of Riverhead Advisory Council, dated 5/3/77. Referring to petition of Carl B. Hansen for a permit to construct a Horse Stable at Manorville under Local Law #5 for 1976 - Wetlands and recommending that a permit be granted. Also stating that the moisture barrier is acceptable. Filed.

UNFINISHED BUSINESS

Decision on Amending Zoning Ordinance #26 - Signs and other changes. Deferred.

Decision on Permitted Investment Tax Credit for new Construction. Deferred.

PERSONAL APPEARANCES

Zina Bailey, 19 Philips Avenue, Riverhead; Read the following petition containing 57 signatures: "We, the residents of Millbrook Gables, commonly known as "the Greens", request the Town Board take appropriate action to correct the following conditions as they exist in this area:

1 - Our roads are full of potholes and in a state of general disrepair.

2 - There are no speed limit or "Children at Play" signs on our streets and we feel these are needed to control traffic. We also request that the Town Police strictly enforce the traffic laws as they apply to our streets. Cars are constantly running through the stop signs, others use our streets as a raceway. Our children are in danger.

3 - There are dozens of loose dogs roaming our streets and backyards. We want the Town ordinance as regards this situation strictly enforced without the necessity of catching the dogs ourselves.

We feel these requests are fair and well within our rights as taxpayers to expect from the Town of Riverhead. They certainly are no more than other areas receive as services paid for by our taxes." (End) Filed.

PERSONAL APPEARANCES - continued

Chairman Young: "We'll take all those things under advisement and Alex will look at the potholes and I'm sure we'll get the dog catchers down there first thing tomorrow morning and we'll talk to the Police Department about the signs."

James K. Ryan, Benjamin Street, Wading River, N.Y. submitted petition opposing Shorewood Water Company's proposal and stated: "I don't have a statement to make but I would like to deliver a letter to Mrs. Tomlinson and the rest of the Board."

Councilwoman Tomlinson read the Petition (as submitted by Mr. Ryan) containing 16 taxpayer's signatures all of Benjamin Street, Wading River, N.Y., the petition reading as follows: "The families of Benjamin Street would like to express thanks and appreciation for meeting with us this Saturday evening past, 30, April 1977. To you, your fellow Councilpersons, and Supervisor Smith we would like to say the following:

that, as delineated to you on Saturday, if the Riverhead Town Board should act favorably on the petition of the Shorewood Water Company to extend its service into Riverhead Town, we do not want the pipeline route to traverse Benjamin Street. We are, at this time, neither interested in availing ourselves of the Shorewood Water Company service nor having our street disrupted for the installation of a water main. We feel that more suitable routes are available for consideration, potential approval, and potential use.

We collectively make no commitment either for endorsement or rejection of the Shorewood Water Company petition by the Riverhead Town Board.

Again, thank you for positively showing to us that local Riverhead Town government is indeed concerned, responsive, directly-involved government." (End) Filed.

Miles Fairley, 156 Merritts Pond Road; "Mr. Chairman I think that I would be remiss if I didn't take this opportunity to express publicly my thanks as Chairman of the last Town clean-up or, all those people, maybe I should say those few people, that came out and did so much for so many. We were short handed. But members of the Local Lions, Kiwanis and Rotary Club, the Wading River Kiwanis Club, the Jamesport Lions Club, members of the Glee Club in both our public High School and the Mercy School, the Junior NROTC and the Honor Society. I'm not going to mention names, there are quite a number of individuals involved. I know that there were three members of the Town Board doing a little stoop labor on that day. Our Recreation Department was giving some very good help and I just want to thank everybody. We couldn't go as far as we wanted to go, but we do look a little bit better."

PERSONAL APPEARANCES - continued

Chairman Young: "Thank you Miles. We want to, as the Town Board speaking for the people of Riverhead, we'd like to thank you for a great job of Chairing the committee that did that and also thank the Service Clubs and the people that helped."

RESOLUTIONS

Councilman Lombardi offered the following resolution which was seconded by Councilwoman Tomlinson.

RESOLVED, That the Town Clerk be and is hereby authorized to advertise for sealed bids for One (1) New 1977 Road Sweeper for use of the Town of Riverhead Highway Department, and be it

RESOLVED, That specifications and forms for bidding be prepared by the Superintendent of Highways, and bids to be returnable up to 11:00 A.M. on Monday, May 23, 1977, and be it further

RESOLVED, That the Town Clerk be and hereby is designated to open publicly and read aloud on Monday, May 23, 1977, at 11:00 A.M., at the Town Clerk's Office, Town Hall, 200 Howell Avenue, Riverhead, New York, all sealed bids bearing the designation, "Bid on Road Sweeper."

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Absent.

The resolution was thereupon declared duly adopted.

Councilman Lombardi offered the following resolution which was seconded by Councilwoman Tomlinson.

RESOLVED, That the Town Clerk be and is hereby authorized to advertise for sealed bids on Bluestone requirements for use of the Town of Riverhead Highway Department, and be it

RESOLVED, That specifications and forms for bidding be prepared by the Superintendent of Highways, and bids to be returnable up to 11:00 A.M. on Monday, May 23, 1977, and be it further

RESLOVED, That the Town Clerk be and hereby is designated to open publicly and read aloud on Monday, May 23, 1977, at 11:00 A.M., at the Town Clerk's Office, Town Hall, 200 Howell Avenue, Riverhead, New York, all sealed bids bearing the designation, "Bid on Bluestone."

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Absent.

The resolution was thereupon declared duly adopted.

Councilwoman Tomlinson offered the following resolution which was seconded by Councilman Lombardi.

RESOLUTIONS - continued

RESOLVED, That the Bid for One (1) New Four Wheel Tractor and Bucket Loader for use of the Town Recreation Department, be and is hereby awarded to Tryac Truck & Equipment Co., Inc., P.O. Box 98, Route 58, Riverhead, New York, for the cost of \$8,980.00, and

FURTHER RESOLVED, That the acceptance of this bid is subject to the specification form filed in the Office of the Town Clerk.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Absent.

The resolution was thereupon declared duly adopted.

Councilwoman Tomlinson offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, That the following employees of the Sanitation Department, be compensated at time and one-half for overtime work as listed below:

Frank Columbus,	2/12/77	Lincoln's Birthday	
	4/08/77	Good Friday	
	21 hours @ \$8.69		\$182.49
Bernard Hettrick,	2/12/77	Lincoln's Birthday	
	4/08/77	Good Friday	
	21 hours @ \$7.67		\$161.07
Robert Kennedy,	2/21/77	Washington's Birthday	
	3/12/77	Bernard Hettrick's Personal Day	
	21 hours @ \$6.83		\$143.43
Edward Gadzinski,	2/21/77	Washington's Birthday	
	10½ hours @ \$9.43		\$ 99.02
	Total Amount:		\$586.01

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Absent.

The resolution was thereupon declared duly adopted.

Councilman Lombardi offered the following resolution which was seconded by Councilwoman Tomlinson.

BE IT RESOLVED, That Alex E. Horton, Highway Superintendent, be and is hereby authorized to attend the Annual

RESOLUTIONS - continued

Meeting of the Suffolk County Town Highway Superintendents, to be held at Deering Harbor Inn, Town of Shelter Island on June 26th through the 29th, 1977, and that all expenses incurred thereto be charged to Transportation A5010.400.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Absent.

The was thereupon declared duly adopted.

Councilwoman Tomlinson offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, the Dog Wardens and Maintenance Man have completed their six-month probationary period, and their appointment in their respective Civil Service classification is now in order on a permanent basis, and

WHEREAS, this Board has taken those steps necessary, pursuant to the Civil Service Law and the Community Development Act of 1974, in the selection of a Community Development Project Supervisor, and an acceptable candidate has been determined for said position, and

WHEREAS, this resolution is required to confirm and complete the paperwork necessary for the temporary positions created for the Morell Project and the demolition of the Lane House, and

NOW, THEREFORE, be it

RESOLVED, that Louis Gatz and John Sabotka, be hereby confirmed in the permanent position of Dog Warden, at an annual salary of eleven thousand two hundred twenty and 96/100 (\$11,220.96) Dollars, and Ten thousand fifty-six and 96/100 (\$10,056.96) Dollars, respectively, and that Frank Schefchick be hereby confirmed in the permanent position of Maintenance Man at an annual salary of Ten thousand sixty-one and 04/100 (\$10,061.04) Dollars, and be it

FURTHER RESOLVED, that Robert M. Scheiner be, and he hereby is, provisionally appointed to the position of Community Development Project Supervisor for a period not to exceed eight (8) weeks, and automatically renewable hereby to a full probationary period of six (6) months, at a salary as is set forth in the Salary Administration Program Group 10, Step 1, wit: Seventeen thousand five hundred twenty-six and 90/100 (\$17,526.90) Dollars, and that by reason of the limited duration of the aforesaid position, conditioned upon the continuance of the Town's participation in the Community Development Act of 1974, this Board does hereby waive its rule with reference to residency of new employees for a period of two (2) years, with reference to this appointment, and be it

FURTHER RESOLVED, that the attached Duty Statements with reference to Clerk of the Works and temporary laborers

RESOLUTIONS - continued

for the Morell and Lane projects be, and the same are, hereby confirmed and that the appointments and salaries of the following persons for the period indicated are confirmed:

MORELL PROJECT

<u>Name</u>	<u>Title</u>	<u>Salary</u>	<u>From</u>	<u>- - To</u>
Alfred Clark	Clerk of the Works	\$1,122.24	2/7	3/11
James Baldelli	Laborer	\$1,175.19	2/7	3/11
John Lesczynski	Laborer	\$1,175.19	2/7	3/11
Arthur Dangelmaier	Laborer	\$ 758.56	2/7	3/11
Lawyer Jackson	Laborer	\$ 724.08	2/7	3/11
Raymond McCoy	Laborer	\$ 758.56	2/7	3/11
Roy Mack	Laborer	\$ 168.09	2/7	3/11
Walter Polinski	Laborer	\$ 655.12	2/7	3/11

LANE PROJECT

Alfred Clark	Clerk of the Works	\$ 400.80	4/11	4/29
James Baldelli	Laborer	\$1,566.92	4/11	4/29
John Lesczynski	Laborer	\$1,566.92	4/11	4/29
Arthur Dangelmaier	Laborer	\$ 344.80	4/11	----
Lawyer Jackson	Laborer	\$ 344.80	4/11	----

Before the roll call vote Chairman Young explained as follows: "The first thing I'll explain is the appointment of Robert M. Scheiner as a position of Community Development Projects Supervisor. We have several projects going, using Federal funded money to upgrade the Town of Riverhead.

Among them is the project to upgrade the property across the street, 821 East Main Street and in order to quality for that money we have to have the people who are qualified to supervise this type of work and this is the man that we have selected for this. This is not a permanent position. It's a position on a temporary basis as long as we can secure Federal and State money for this slum correction project that we're working on.

The Morell Project money comes from the HUD money - Community Development money which is HUD and that was the first group of people that were read to take down the Morell Property, that's the old garage on Peconic Avenue, Bridge Street they used to call it, and then the other smaller group took down the Lane House, which is the house in front of the Town Hall here, and that was all HUD money.

So it cost you money, but it costs you Federal Taxes, not Town Taxes."

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Absent.

The resolution was thereupon declared duly adopted.

RESOLUTIONS - continued

Councilman Menendez offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, that the Town of Riverhead Agree to Permit the Department of Transportation to Construct a Federal Aid Safer Roads Demonstration and/or a Pavement Marking Demonstration Programs Project on the Highways, Streets and/or Roads of the Town.

1. Roanoke Avenue (CR73) and Pulaski Street
2. Roanoke Avenue (CR73) and Second Street

WHEREAS, the Town of Riverhead has made application to the New York State Department of Transportation for a Safer Roads and/or Pavement Marking Demonstration Programs Project, pursuant to Section 230 and 205 of the Federal Highway Safety Act of 1973, and

WHEREAS, the New York State Department of Transportation has notified this Board of the approval of plans and specifications for such a Safer Roads, and/or Pavement Marking Demonstration Programs Project, for the improvement of highways, roads and/or streets which are under the jurisdiction of the municipality, and which project is more completely described as traffic signal improvements, and

WHEREAS, the New York State Department of Transportation has made known its intention to advertise a contract for the above-described improvement and has requested an agreement from the Board to the effect that it will permit the State, its agents and employees to enter upon the highways, roads and/or streets under the jurisdiction of the municipality for the purpose of performing the above-described improvement.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead duly convened in legal session held on the 3rd day of May, 1977, does hereby approve of the above-described improvement to be performed on the highways, roads and/or streets of this municipality and does hereby agree with the State Department of Transportation that the authorities will permit the State, its agents and employees to enter upon the highways, roads and/or streets of the municipality for the purposes of carrying out the above-described Safer Roads and/or Pavement marking Demonstration Project, and IT IS FURTHER

RESOLVED, that the Town Board of this municipality does hereby agree with the State Department of Transportation that the municipality shall retain jurisdiction over the highways, roads and/or streets within the project area and hold harmless the State of New York for any damage to the property or persons of others dues to the performance of any of the employees or agents of the municipality, and IT IS FURTHER

RESOLVED, that upon completion of the above-described Safer Road Demonstration Program Project, the Municipality will maintain the improvement and the highway, roads and/or street in accordance with the New York State Manual of Uniform Traffic Control Devices, and IT IS FURTHER

RESOLVED, that the Clerk of this Board is hereby directed, within ten days after the adoption of this resolution, to transmit five (5) certified copies of the foregoing resolution to the New

RESOLUTIONS - continued

York State Department of Transportation.

Before the roll call vote Councilman Menendez made the following statement: "Now this resolution as I understand it is going to fix the street lights - not the street lights the traffic lights at the corner of Roanoke Avenue and Pulaski Street and Roanoke Avenue and Second Street. Apparently the state feels one light is not enough they have to put up two to make it right. So at least they're going to rearrange those lights and we have to agree to keep them up and maintain them.

Now while I'm on the same subject, I think we should offer a vote of thanks to Rita Peters who's done a great job for us in chasing down money for these projects. This is State money she dug out for this."

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Absent.

The resolution was thereupon declared duly adopted.

Councilwoman Tomlinson offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, That the resignation of Susan V. Tuthill, Consultant Dietitian for the Nutrition Program for the Elderly for the Town of Riverhead, be and is hereby accepted, effective March 15, 1977.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Absent.

The resolution was thereupon declared duly adopted.

Councilman Menendez offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, that the General Town Budget and various Capital Budgets of the Town of Riverhead for the year 1977 be amended as follows, and that the Supervisor be, and he hereby is, authorized to make the following transfers:

FROMTO

Federal Revenue Sharing- General Account \$150,000.00	Federal Revenue Sharing Police Account \$40,000.00
	LILCO Litigation- Capital Account \$30,000.00
	A new account, Undergrounding Main Street \$50,000.00
	Federal Revenue Sharing Capital Account- Corwin & Benjamin Houses \$30,000.00

RESOLUTIONS - continued

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Absent.

The resolution was thereupon declared duly adopted.

Councilman Menendez offered the following resolution which was seconded by Councilman Lomardi.

WHEREAS, it has come to this Town Board's attention that a public hearing should be called with reference to certain proposed amendments to the Code of the Town of Riverhead,

NOW, THEREFORE, be it

RESOLVED, that the Town Clerk publish and post the attached Notice of Public Hearing.

PUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held on May 17, 1977, at 8:45 P.M., at 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the following proposed amendments to the Code of the Town of Riverhead.

1. By adding new subsection 6 to Chapter 108, Section 21 (B), as follows:

"(6) Non-profit, year-round, resident child care institutions with attendant open space or agricultural uses on a parcel of no less than fifty (50) acres by special permit of the Town Board."

2. By adding new Section 108-45 B, as follows:

"(13) National cemetery, by special permit of the Town Board."

3. By deleting Section 108-23 "Lot Area" in its entirety.

4. By amending the Zoning District Use Schedule in pertinent part, which currently reads as follows:

" Use District	Minimum Lot Area (sq. ft.)	Minimum Lot Width (feet)	Maximum Building Area ⁷ (%)	Maximum Height (feet)	Minimum Front Yard Depth (feet)	Minimum Either Side Yard Width (feet)	Minimum Both Side Yards, Total Width (feet)	Minimum Side Yard Width Abutting Street (feet)	Minimum Rear Yard Depth (feet)
* * *									
Res. B (Article IV)	22,000	125	20	35	50	20	45	50	50
* * *									
Agric. A (Article VI)	20,000	100	30'	35'	40	10	25	25	40'

and, change it to read as follows:

RESOLUTIONS - continued

" Res. B (Article IV)	30,000	125	20	35	50	20	45	50	50	..
* * *										
Agric. A (Article VI)	40,000	150	30	35	40	10	25	25	40	"

5. By amending Section 108-56. J. to read as follows:

"J. Anything to the contrary in this chapter notwithstanding, any non-conforming billboard or flashing or moving sign, other than a time and temperature display permitted by the Town Board of the Town of Riverhead, in accordance with the further provisions of this chapter, wherever located, shall become an unlawful structure on January 20, 1979, and shall thereupon be removed."

6. By adding a new subsection to Section 108-56, to read as follows:

"L. A time-temperature display may be permitted in Business D. District (General Business) only by special permit of the Town Board if it meets the following conditions:

- "1. On premises.
- "2. Attached to the building wall.
- "3. Thirty-two (32) square feet in total area.
- "4. No more than two (2) colors, inclusive of background color of building wall.
- "5. A minimum time interval of five (5) seconds between flashed readings of time and temperature.
- "6. Three hundred (300) lineal feet from any existing time and temperature display."

7. By adding to Section 108-34, the following new subsection:

"A. Permitted Uses

* * * * *

RESOLUTIONS - continued

"(16) Vehicle repair."

8. By adding to Section 108-39, the following new sub-section:

"A. Permitted Uses

* * * *

"(17) Vehicle repair."

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Absent.

The resolution was thereupon declared duly adopted.

Councilman Lombardi offered the following resolution which was seconded by Councilwoman Tomlinson.

WHEREAS, the Town of Riverhead Planning Board has recommended to the Town Board of the Town of Riverhead that the special permit application of Everett Enstine to operate a fuel oil depot, a non-nuisance industry, be approved, as indicated in the attached letter of April 11, 1977,

NOW, THEREFORE, be it

RESOLVED, that a public hearing be held to hear all interested persons, concerning said special permit application, and be it

FURTHER RESOLVED, that the Town Clerk is hereby authorized to publish and post a notice of said public hearing.

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be held on May 17th, 1977, at 9:00 P.M., at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons in the matter of the application of Everett Enstine for a special permit to operate a fuel oil depot, a non-nuisance industry.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Absent.

Councilman Lombardi offered the following resolution which was seconded by Councilwoman Tomlinson.

WHEREAS, in accordance with Article VIII, Section 108-38 of the Code of the Town of Riverhead, application has been made by West Side Realty, Inc. for a building permit for an addition to an existing outdoor garden center to be enclosed with a ten foot (10') chain link fence, and

WHEREAS, the Zoning Officer has referred said application to the Town Board for its review and recommendation, and

RESOLUTIONS - continued

WHEREAS, the Town Board has reviewed said site plan,

NOW, THEREFORE, be it

RESOLVED, that said site plan is hereby approved with the additional condition that there be no entrance or exits from the southerly side of the proposed extension, but rather that any exit or entrance be located on the northerly side.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Absent.

The resolution was thereupon declared duly adopted.

Councilman Lombardi offered the following resolution which was seconded by Councilwoman Tomlinson.

WHEREAS, in accordance with Article VIII, Section 108-38 of the Code of the Town of Riverhead, Jesson, Inc. of Burger King, 900 Old Country Road, Riverhead, New York, has made application for a building permit for a canopy over the Drive-thru window, and

WHEREAS, the Zoning Officer has forwarded to the Town Board the said site plan for its review and recommendation, and

WHEREAS, said Town Board has reviewed same,

NOW, THEREFORE, be it

RESOLVED, that the said site plan, initialled by James V. DeLucca, Zoning Officer, is hereby approved.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Absent.

The resolution was thereupon declared duly adopted.

Councilwoman Tomlinson offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, this Town Board has determined that it is necessary to construct certain bulkheading at the location of East Pond in the Hamlet of Wading River,

NOW, THEREFORE, be it

RESOLVED, that the Town Clerk is hereby authorized to publish and post the necessary advertisements for public bidding in reference to same.

The vote, Lombardi, Yes, Tomlinson, Yes, Menendez, Yes, Young, Yes, and Smith, Absent.

After the vote Councilman Menendez made the following statement: "Mr. Chairman, I see Dr. Smith has left already so Dr. Granttham would you give him a message for us please. I wanted to make his whole day for him and tell him the work on the boat ramp at the iron pier has started."

Dr. Granttham: (inaudible).

RESOLUTIONS - continued
Councilman Menendez: "That's right."

The resolution was thereupon declared duly adopted.

Charles Lawrence, Chairman, 116 Lincoln Street;
"I think that granting the permit for the building of that horse barn is in order and which should be taken care of to conclude this application."

Chairman Young: "I think we granted it this afternoon, Chuck. We talked to Mr. DeLucca about it and he explained it all to us and we told him to go ahead and I think he called them. Maybe the Town Attorney can explain it."

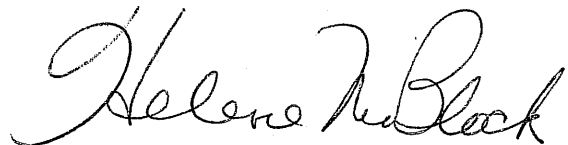
Peter Danowski, Jr., Town Attorney: "I'm not here to explain it, but Miss Block is correct in what she said as far as the ordinance is concerned. If we had to consider it as a wetlands application, #1 the application would have to be much more detailed. #2 there would have to be a hearing by the Town Board.

I think what was resolved this afternoon was it was not treated as a formal application, in fact, it's just a mere application to the Building Department and either they're going to grant the permit or not."

Charles Lawrence: "It's been granted."

There being no further business on motion and vote, the Meeting adjourned at 8:20 P.M. to meet May 17, 1977 at 7:30 P.M.

HMB/vlv



Helene M. Block, Town Clerk